

Entered - 03/13/02 - sb  
CL02L0195 - DIANNE C. MITCHELL

CLAIM OF: **EMMA BROOKS,**  
through her attorney,  
**Edward R. Mashek**  
1355 Peachtree Street  
Suite 1000  
Atlanta, Georgia 30309

02-R-1412

ADOPTED BY  
SEP 03 2002  
COUNCIL

For damages alleged to have been sustained as a result of a vehicular accident on January 22, 2002 at 2875 Northside Drive, NE.

BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **EMMA BROOKS, through her attorney, Edward R. Mashek** the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on January 22, 2002 at 2875 Northside Drive, NE as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**, Settlement of Suits and Claims, Department of Law.

APPROVED: **ROSALIND RUBENS NEWELL**  
INTERIM CITY ATTORNEY

BY:

**ROBERT N. COFFREY**  
DEPUTY CITY ATTORNEY

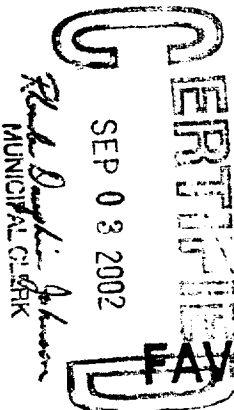
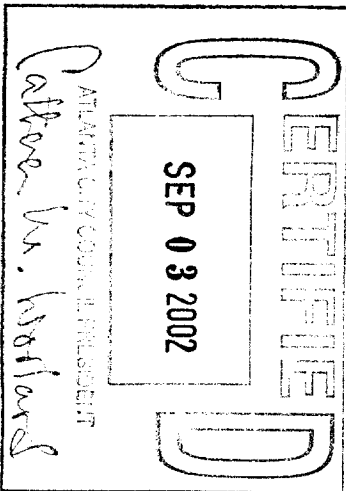
COMM: Public Safety

DATE: 8/27/02

CHAIR: [Signature]

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SEP 1 2002  
MAYOR





**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**02-R-1412**

**A RESOLUTION**

**BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Emma Brooks, through her attorney, Edward Mashek** to in the sum of **\$2000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as **a result of a vehicular accident on January 22, 2002 at 2875 Northside Drive, NE** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Daughlin Johnson*  
Municipal Clerk, CMC

**ADOPTED by the Council  
APPROVED by the Mayor**

SEP 03, 2002  
SEP 11, 2002

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 02L0195

Date: August 1, 2002

Claimant /Victim EMMA BROOKS  
BY: (Atty) Edward R. Mashek  
Address: 1355 Peachtree Street, Suite 1000, Atlanta, Georgia 30309  
Subrogation:          Claim for Property damage \$          Bodily Injury \$ 3,853.70  
Date of Notice: 03/01/02 Method: Written, proper X Improper           
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 01/22/02 Place: 2875 Northside Drive, NE  
Department Police Division:           
Employee involved William Matthew Goss, II Disciplinary Action: Pending

NATURE OF CLAIM: The driver of the City vehicle drove left of the center line to go around the claimant and collided with the claimant's vehicle when the claimant attempted a left turn causing damages in the above amount.

**INVESTIGATION:**

Statements: City employee          Claimant          Others          Written          Oral           
Pictures          Diagrams          Reports: Police X Dept Report          Other           
Traffic citations issued: City Driver X Claimant Driver           
Citation disposition: City Driver          Claimant Driver         

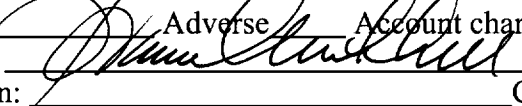
**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial           
Improper Notice          More than Six Months          Other          Damages reasonable           
City not involved          Offer rejected          Compromise settlement X  
Repair/replacement by Ins. Co.          Repair/replacement by City Forces           
Claimant Negligent          City Negligent X Joint          Claim Abandoned         

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

**RECOMMENDATION:**

Pay \$ 2,000.00 Adverse          Account charged: 1A01 X 2J01          2H01          2P01           
Claims Manager:  Concur/date 08-02-02  
Committee Action:          Council Action

RCS# 3953  
9/03/02  
1:47 PM

Atlanta City Council

Regular Session

CONSENT I            Pgs. 1-14; Except 02-R-1137; 02-R-1458

ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
B Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

ITEMS ADOPTED ON CONSENT AGENDA		09/03/02 Council Meeting ITEMS ADVERSED ON CONSENT AGENDA
1. 02-O-1455	43. 02-R-1492	59. 02-R-1418
2. 02-O-1456	44. 02-R-1347	60. 02-R-1419
3. 02-O-1457	45. 02-R-1461	61. 02-R-1420
4. 02-O-1460	46. 02-R-1462	62. 02-R-1421
5. 02-O-1454	47. 02-R-1471	63. 02-R-1422
6. 02-O-1336	48. 02-R-1484	64. 02-R-1423
7. 02-O-1337	49. 02-R-1486	65. 02-R-1424
8. 02-O-1339	50. 02-R-1363	66. 02-R-1425
9. 02-O-1340	51. 02-R-1364	67. 02-R-1426
10. 02-O-1341	52. 02-R-1365	68. 02-R-1427
11. 02-O-1342	53. 02-R-1412	69. 02-R-1428
12. 02-O-1343	54. 02-R-1413	70. 02-R-1429
13. 02-O-1226	55. 02-R-1414	71. 02-R-1430
14. 02-O-1446	56. 02-R-1415	72. 02-R-1431
15. 02-O-1465	57. 02-R-1416	73. 02-R-1432
16. 02-R-1370	58. 02-R-1417	74. 02-R-1433
17. 02-R-1371		75. 02-R-1434
18. 02-R-1372		76. 02-R-1435
19. 02-R-1373		77. 02-R-1436
20. 02-R-1374		78. 02-R-1437
21. 02-R-1375		79. 02-R-1438
22. 02-R-1376		
23. 02-R-1378		
24. 02-R-1379		
25. 02-R-1380		
26. 02-R-1392		
27. 02-R-1468		
28. 02-R-1480		
29. 02-R-1481		
30. 02-R-1482		
31. 02-R-1483		
32. 02-R-1385		
33. 02-R-1479		
34. 02-R-1369		
35. 02-R-1439		
36. 02-R-1440		
37. 02-R-1495		
38. 02-R-1500		
39. 02-R-1501		
40. 02-R-1386		
41. 02-R-1388		
42. 02-R-1491		

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1<sup>st</sup> Consent I Vote: 14Yeas; 0 Nays (See RCS #3953)  
Items Removed from Consent: 02-R-1137; 02-R-1458